47

No. P. 3355—Legis. 46-35, dated, Bangalore, 20th November 1935.

The following draft rules which the Government propose to make in exercise of the powers conferred upon them by Section 11 of the Mysore Motor Vehicles Regulation, 1928, and Sections 5 and 23 (3) of the Mysore Road Traffic and Taxes Regulation, 1935, regarding public service motor vehicles, are hereby published for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 13th of December 1935 and that any suggestions or objections which may be received from any person in respect of the said rules before the date aforesaid will be considered by Government.

From the date of coming into force of these rules, rules 27 to 30 B., both inclusive, of the Motor Vehicles Rules, 1924, issued with notification No. P. 3015—Legis 21-22-10, dated 12th December 1924, as amended from time to time shall be of no effect.

By Order,
M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

RULES REGARDING PUBLIC SERVICE MOTOR VEHICLES.

Rules applicable to all classes of such vehicles.

Permits for public service motor vehicles.

1. No person shall drive nor shall any registered owner allow to be driven on any public road a public service motor vehicle unless—

(*a*) a permit has been issued by the authority empowered under these rules in respect of such vehicle in form 1, or form 2, or form 3 or form 4 of Appendix as the case may be or

(*b*) a valid permit issued by some other authority in respect of such vehicle has been endorsed by the competent authority, and

(*c*) the vehicle complies in all respects with the registration certificate, the permit and the provisions of these rules,

provided that no person shall be liable for a breach of this rule in respect of any public service motor vehicle which is being taken from one place to another for the purpose of registration or of being repaired so long as it is not carrying passengers or goods for hire or reward.

Classes of permits.

2. (i) Permits for public service motor vehicles shall be of the following classes :—

(i) Ordinary permits.
(ii) Short-term permits.
(iii) Special permits.

(ii) Ordinary permits shall enable the holder to let or ply his vehicle for hire for the carriage of passengers or goods as the case may be as part of a regular service.

(iii) With a view to enabling vehicles to be used temporarily for periods of a limited duration during feasts, fairs and other such like special occasions or for the purposes of a seasonal business, short-term permits may be granted for periods not exceeding one month at a time or three months in the aggregate during an official year.

(iv) Special permits shall entitle the holder to use the vehicle for the carriage of persons or goods or persons and goods for hire or reward for a casual outward and home journey or for the purpose of the execution of a particular piece of work. The duration of such permits shall not exceed the period of 15 days in any quarter.

Applications for permits.

3. (i) Applications for ordinary, short-term and special permits for the use of the vehicle within the limits of a district shall be made to the District Magistrate of the District.

(ii) Applications for ordinary, short-term and special permits for the use of the vehicle in more than one district shall be made to the District Magistrate of the District in which the owner resides or carries on the business in respect of which the vehicle is used.

(iii) Applications for permission from persons not residing in Mysore and not falling in the sub-clauses (i) and (ii) above shall be made to the District Magistrate of the district, through the limits of which such vehicle has to pass first immediately on its entering the limits of the State.

Special conditions of the permit.

4. The authority empowered by these rules to grant permits may attach to such permits such additional special conditions as it may think fit with respect to the matters to which it is required to have regard under the Regulations and these rules and in particular in regard to the time-table and frequency of the service, picking up and setting down of passengers along the whole route or part thereof, fares or rates to be charged or the class of goods to be carried. The said conditions may be varied by such authority from time to time at its discretion. These special conditions shall be binding on the permit-holders as though they were conditions prescribed under the rules.

Suspension and cancellation of permits.

5. (i) The permit referred to in rule 1 may be refused or if it has already been granted, or endorsed, may at any time be suspended or revoked by the authority by whom it was so granted or endorsed if, having regard to the conduct of the applicant or the holder of the permit, as the case may be, or to the manner in which the vehicle is being used it appears to the authority that he is not a fit person to hold such a permit.

(ii) Every permit issued or endorsed under these rules is also liable to cancellation or suspension by the Board or the officer granting the permit as the case may be in the following circumstances :—

(*a*) In the event of an offence against the provisions of the Mysore Motor Vehicles Regulation and the Mysore Road Traffic and Taxes Regulation or of a breach of these rules committed by the holder of the permit or committed in respect of public service motor vehicles authorised to ply under such permit, or

(*b*) In the event of failure, without reasonable cause, on the part of the holder of such permit to operate a public service motor vehicle under the terms of such permit,

Provided that the said revocation or cancellation shall not be made unless the authority empowered to make it is, after giving the person an opportunity of being heard, satisfied that the permit should be revoked or cancelled.

6. The permit-holder shall, immediately on service of the order of the said cancellation or suspension of the permit, return the said permit and any other disc or token

issued in connection therewith to the authority that originally issued the said permit and the disc or token.

The permit to be carried on the vehicle.

7. The permit granted to a public service motor vehicle shall, except when it has been sent to the authority granting it for renewal or alteration or on a requisition by such authority be carried by the driver of the vehicle whenever it is in motion and shall be open to inspection by any Magistrate, Police Officer or an Inspector of motor vehicles appointed under rule 12 or any officer of the Board duly empowered in this behalf. Such officer shall have power to stop the vehicle for the purpose of such inspection.

Transfer of permits.

8. (i) Every permit granted under these rules is in respect of the particular vehicle and the owner of it authorised to operate it. Such permit shall not be capable of being transferred or assigned and shall lapse if the said owner sells, transfers, parts in any other way with the vehicle in favour of any other person.

(ii) In the event of the death of the permit-holder, the authority empowered to grant permits may, in its discretion, authorise the transfer of the permits to his legal heirs. A fee of Rs. 100 shall be payable on every such transfer.

Issue of duplicate permit.

9. On sufficient cause being shown, it shall be open to the officer issuing the permit to grant a copy of it on payment of a fee of Rs. 5. Such permit shall be clearly marked with the word 'Copy' written in red ink across the permit.

Validity of permits.

10. Subject to the conditions prescribed in these rules and the special conditions prescribed in the permit,

(*a*) an ordinary permit shall be valid for the route or the area specified in the said permit and shall, if not otherwise suspended or cancelled under these rules, be valid till the end of the official year unless any other period is specified in the said permit.

(*b*) A short-term or a special permit shall be valid for the route or the area for the period specified in such permits.

Insurance against third party risks.

11. (i) Subject to such exceptions as may be made by Government from time to time in respect of any class of vehicles no permit shall be issued in respect of any

public service motor vehicle unless the registered owner :—

(*a*) has taken out an insurance policy to cover risks to passengers and third parties arising out of the use of the said public service motor vehicle for the duration of the permit, and

(*b*) produces a receipt for the premium paid in respect of such policy to an insurance company approved by the Government in this behalf by notification in the official Gazette.

(ii) No person shall drive nor shall any registered owner allow to be driven in any public place any public service vehicle in respect of which the insurance policy as aforesaid shall for any cause have ceased to be in force.

This rule will come to force in each District or area on and from a date to be notified by the Government in the official Gazette in this behalf.

(iii) No insurance policy specified in Rule 11 (i) shall be transferred from one registered owner to another save with the approval of the authority granting the permit in respect of the vehicle. The fact of the transfer shall be endorsed by the authority upon the insurance policy. For every such transfer and endorsement a fee of Rs. 5 shall be levied.

Inspection of public service motor vehicles.

12. (i) The Board may by general or special order call upon the registered owner of any public service motor vehicle to produce the said vehicle for inspection by such person and at such time and place as it may specify and the registered owner shall be bound to comply with any such order.

(ii) The Board may by general or special order specify the inspecting authority by whom the permit of any public service vehicle may be summarily suspended pending the execution of repairs to the said vehicle and the said inspecting authority may at any time suspend any such permit and shall in that event take the said permit into his possession and give to the registered owner a receipt for the same and a statement in writing of the reasons for suspension and of the repairs that must be carried out before the said permit may be restored.

(iii) Upon the completion of the repairs required by the inspecting authority under the foregoing rule, the registered owner shall be entitled to call upon the inspecting authority to inspect the vehicle within seven days and

shall in that event be bound to produce the said vehicle for inspection at any reasonable time and at any place specified by the inspecting authority.

Trailers.

(iv) No person shall attach any trailer to any public service motor vehicle carrying persons when in use as such, nor shall any person drive any such vehicle to which a trailer is attached, except under the written permission of the authority granting the permit.

General duties of drivers and conductors.

13. No driver, conductor or other person in charge of or employed upon any public service vehicle shall, when acting as such,

(*a*) cause or allow any person to be or be seated or anything to be placed within the space reserved or intended for the accommodation of the driver or otherwise in such a way as to hamper or interfere with the driver in his control of the vehicle ;

(*b*) when both goods and passengers are carried on any such vehicle, cause or allow goods to be loaded or any passenger to be carried in such a way that any passenger is without reasonable seating accommodation ;

(*c*) save as may otherwise be provided by or under any general or special rule made by competent authority cause or allow any such vehicle to be loaded with passengers beyond the registered seating capacity or with luggage or goods in excess of the amount specified in the registration certificate, or permit as the case may be ;

(*d*) cause or allow any such vehicle to stand, or loiter with any such vehicle, for the purpose of obtaining passengers save as may be directed by competent authority ;

(*e*) wrongfully obstruct or attempt to obstruct the driver, conductor or other person in charge of any other public service vehicle in the transaction of his business ;

(*f*) refuse without good cause to carry any person who tenders a proper fare ;

(*g*) require without good cause any person who has paid any fare to alight before the completion of the journey in respect of which the said fare shall have been paid, or

(*h*) in the case of a motor bus cause or allow anything to be placed in the gangway of the said bus in such a manner as to obstruct the entry or exit ;

(*i*) behave in an incivil and disorderly manner ;

(*j*) smoke in or on a vehicle during a journey or when it has passengers on board ;

(*k*) fail to take all reasonable precautions to ensure the safety of passengers in or on or entering or alighting from the vehicle ;

(*l*) wilfully deceive or refuse to inform any passenger or intending passenger as to the destination or route of the vehicle or as to the fare for any journey ;

(*m*) if requested by any police constable or other person having reasonable cause, fail to give particulars of his permit, his name and the name and address of the person by whom he is employed ;

(*n*) not at any reasonable time, obstruct or neglect to give all reasonable information and assistance to any person having authority to examine the vehicle.

14. A driver, when acting as such, shall not when the vehicle is in motion enter into conversation with the conductor or any other person.

Precautions against infection.

15. No registered owner, no driver and no conductor or other person in charge of a public service motor vehicle shall place or carry or permit to be placed or carried on such a vehicle any person whom he knows or has reason to believe to be suffering from infectious or contagious disease, or the corpse of any person whom he knows or has reason to believe to have been suffering from any such disease, save under the written authority of a medical officer in the service of the Government, of and above the rank of a Sub-Assistant Surgeon or a medical practitioner approved by the Board in this behalf ; and in the event of his carrying such a person or such a corpse, he shall not thereafter use the said vehicle for any purpose until it has been disinfected to the satisfaction of the medical officer or a medical practitioner approved as aforesaid.

Cleanliness and repair.

16. The registered owner and other person in charge of a public service motor vehicle shall maintain the furniture and fittings of the said vehicle in a reasonable state of cleanliness and repair.

Lost property.

17. The conductor or other person in charge of a public service vehicle shall take possession of any property accidentally left therein, and within twenty-four hours take or send the property or written information of the finding of such property to the nearest police station.

18. Every public service motor vehicle shall be driven only by a person certified by the licensing

authority to drive that particular class or type of public service vehicles.

Irregular carriage of passengers or goods.

19. (*a*) No driver or other person in charge of a public service motor vehicle shall permit any passenger to ride on the roof or on the running board or on any outside portion of the said vehicle; nor shall such driver or other person load or permit to be loaded goods upon the said vehicle in such a way as to protrude beyond the said vehicle to the danger of other traffic or persons on or beside the road.

(*b*) No driver or other person in charge of a public service motor vehicle shall load or permit to be loaded such motor vehicle in such a way that the total height of the vehicle and its load exceeds ten feet from the surface on which the motor vehicle rests.

Damage to roads.

20. (*a*) Every owner of a public service motor vehicle and every driver and conductor of such a vehicle shall report to the District Magistrate any damage caused to the road by the vehicle, which will or is likely to endanger public safety.

(*b*) The owner of every such public service motor vehicle shall be liable for any damage beyond ordinary wear and tear, caused wilfully or negligently by the motor vehicle, to culverts, bridges or any other property appertaining to roads. If the cost of such damage is not paid to the Executive Engineer in charge of the property damaged, upon demand, the District Magistrate on being satisfied that the demand is proper may suspend the permit until the amount demanded or such amount as he may deem proper is paid.

Records to be maintained.

21. The registered owner, the driver and the conductor of every public service motor vehicle shall maintain such records relating to the trips done by the vehicle as may by a general or special order be prescribed from time to time by the Board or the District Magistrate. These records shall be open to inspection by officers authorised in this behalf by the Board or the District Magistrate.

Duties and powers of the Traffic Board and District Magistrate.

22. The Traffic Board shall, subject to the general direction and control of Government, be the central authority in all matters connected with the regulation, control and licensing of public service motor vehicles. The District Magistrates shall be responsible for

enforcing, within their respective jurisdiction, the Regulation, the rules and instructions issued from time to time in this behalf.

RULES APPLICABLE TO MOTOR BUS SERVICES.

Classification of routes.

23. (i) For the purposes of permits for motor bus services, the Board shall grade all routes in the State in two classes, hereinafter described as "Through routes" and "Local routes" respectively.

(ii) In classifying the routes in the manner described in the foregoing rule, the Board shall be guided by the following considerations, that is to say,—

(*a*) The importance of the route as a main through route common to two or more districts or common to one district or more and a neighbouring British Indian Province,

(*b*) whether the route is one running close and parallel to the Railway and whether the motor bus services on these roads compete with Railways in respect of traffic,

(*c*) the importance and volume of traffic likely to be carried on each route,

(*d*) the necessity for the development of the route and for the provision of facilities for public service motor traffic on the route.

(iii) (*a*) Important routes which are common to two or more districts or to one district and a neighbouring British Indian Province and those the traffic on which compete with Railways may be graded as Through Routes.

(*b*) Important routes local to a district or lying wholly within a district other than those forming part of Through Routes may be graded as Local Routes.

The Board to fix number of service of motor bus.

24. (i) The Board shall, in the case of both through and local routes, prescribe the maximum number of motor bus services for which permits may be issued in each route, taking into account the volume of traffic on that route and the facilities required for that traffic. In fixing the number of services, the Board shall be guided by considerations set forth in Sub-section 2 of Section 5 of the Road Traffic and Taxes Regulation.

(ii) On important Through and Local routes, the Board may, in its discretion, fix the number of services in

such a manner as to make some provision for maintaining healthy competition in respect of the efficiency of the services generally and of the facilities and convenience provided to the passengers by such services.

25. The Board shall, within the limits of the maxima and minima fares to be prescribed by the Government in this behalf from time to time, fix the fares that are to be charged by the motor bus services for the carriage of passengers in each area.

The District Magistrate—the authority to issue permits.

26. Subject to such exceptions as may be made by the Traffic Board from time to time, permits for all public service motor vehicles shall be granted by the District Magistrates in accordance with these rules.

Selection of permit-holders.

27. (i) Permit-holders for regular motor bus services on through routes shall be selected by the Board and their names intimated to the District Magistrate or Magistrates concerned. The letter intimating the selection of the permit-holders shall specify the time-table fixed for the running of the motor bus services, the special conditions, if any, to be attached to the permit and the District Magistrate by whom the permit is to be issued. The District Magistrate thus authorised shall, on collection of the service tax and the mileage cess for the entire route, grant the permit for the service.

(ii) Selection of persons for operating regular motor bus services on local routes will be made by the District Magistrates concerned subject to the number and frequency of such services prescribed for each road by the Board and to the conditions and qualifications prescribed in these rules for the operators of such services and subject to such further supplementary instructions as may be issued by the Board from time to time in this behalf.

Time-tables for motor bus services.

28. The time-table for the running of motor bus services on Local Routes shall be fixed by the District Magistrates taking into consideration the schedule of timings fixed for services on Through Routes by the Board.

29. (i) The Board and the District Magistrate shall arrange for the provision of adequate motor bus service on all roads.

(ii) The previous sanction of Government shall be obtained if the provision of such services on any Local

Routes involves, on account of its unremunerative character, the payment of a subsidy or any other reduction in the rate of taxes.

SELECTION OF PERMIT-HOLDERS.

Qualifications for permit-holders.

30. In the selection of permit-holders for operating motor bus services, the authority concerned should have regard to the following matters, that is to say :—

(i) Persons selected must be of sufficient substance to manage the services efficiently. In those cases in which the authority empowered to grant permits considers it necessary, it may insist on the permit-holders making a deposit not exceeding Rs. 1,000 for each service. These deposits may, under the orders of the Board, be forfeited or otherwise drawn upon when the permit-holder fails to provide regular and efficient service or in cases of breach of rules and conditions of the permit.

(ii) Permit-holders shall maintain, on a scale fixed by the Board, additional vehicles as spares for the running of relief services in cases of break-down of the vehicles used on the regular service or in other emergencies.

(iii) For services other than inter-provincial services, preference should be given to the subjects of His Highness the Maharaja by birth or domicile.

(iv) Other things being equal, preference should be given to the existing permit-holders as against newcomers.

(v) Preference should be given to permit-holders who have made an adequate provision for running repairs and for garage accommodation.

(vi) In the selection of permit-holders for services on through and local routes, preference should be given to those who are prepared to provide services on unremunerative local routes acting as feeders to important Through and Local Routes.

THE SYSTEM OF SELECTION OF PERMIT-HOLDERS.

Monopoly for the Railway Department on roads competing with Railways.

31. (1) The State Railway Department, may, at the discretion of the Board, be granted a permit for the exclusive provision of motor bus services on roads declared

as competing with the Railways in respect of traffic. The grant of the monopoly to the Railway Department on such roads shall be subject to the following conditions, that is to say :—

(i) The previous sanction of the Government shall be obtained for the grant of the monopoly.

(ii) The monopoly shall be in respect of roads competing with Railways running parallel and close to the Railway.

(iii) The motor bus services provided by the Railways shall be subject to all the rules and regulations applicable to other such services.

(iv) The Railway Department shall provide on these routes the number of services with the frequency and to the schedule of timings approved by the Board.

(v) The monopoly shall not apply in respect of the portions of such roads as form part of the route which other motor bus services have to traverse when plying between places lying outside the said road competing with Railways, or between a place on such road and a place outside such road or between two places situated on such road, but connected by a road other than the said road competing with the Railways. Permits may be granted for services on such portions of the said road competing with Railways, subject to such special conditions with regard to fares, picking up and setting down of passengers in the portions forming part of the said road, as the Board may think fit to impose from time to time.

Special conditions attached to permits for permit-holders other than Railways on roads competing with Railways.

32. (i) When on such roads the Railway Department is not granted the exclusive option of providing motor bus services, permits for bus services may be granted to other persons.

(ii) The Board may attach to permits granted on such roads to persons other than the Railway Department, such other conditions as they may think fit for securing that—

(*a*) the fares shall not be unreasonable ;

(*b*) where desirable in the public interest the fares shall be so fixed as to prevent wasteful competition with the Railway along the route or any part thereof or in proximity thereto.

(*c*) the time-table fixed for the motor bus services may be such as to allow a reasonable interval of time

between the timings of trains and between those of the motor buses.

(*d*) that unnecessary and wasteful competition is avoided.

33. Permit-holders for the provision of motor bus services on all other roads may be selected by the prescribed authority by a process of selection from amongst suitable applicants.

Applications for permits.

34. (i) Subject to such exceptions as the Board may make from time to time, the Board in the case of Through Routes and the District Magistrates in the case of Local Routes, shall call for applications by a notice published in the Official Gazette.

(ii) Every person desirous of obtaining a permit under these rules shall present a written application to the District Magistrate indicated in Rule 3 above.

The District Magistrate shall refer applications for permits on Through Routes to the Board with such recommendations as he may deem fit to make.

35. Every such application shall contain particulars of the type or types of vehicles to be used, and of the service proposed to be operated and the Board may, for the purpose of such applications, prescribe a form of application for the entry of such other particulars as may in their opinion be required.

Monopoly of services on Roads other than those competing with Railways.

36. It shall be competent for the Board to grant a monopoly for the provision of motor bus services on any route other than that declared as competitive with Railway routes referred to in Rule 31 *supra*, subject to the following conditions, that is to say :—

(i) The previous sanction of the Government shall be obtained in each case.

(ii) The mode of selecting the person and the sum of money that is to be paid by him for the grant of monopoly shall be as approved by the Government and may include selection by means of public auction or tender.

(iii) The period for which the monopoly is to be in force shall be as fixed by the Government in each case.

(iv) The monopoly granted may be summarily suspended or revoked or terminated at any time on a month's notice if the person holding the monopoly fails

to act up to the conditions on which the monopoly is granted or fails to provide efficient, regular and satisfactory service or for breach of rules or conditions prescribed or for any other cause or failure deemed sufficient by the Board:

Provided that the said monopoly shall not be revoked or terminated unless the Board is satisfied after giving the person concerned an opportunity of being heard that the permit should be revoked or terminated.

(v) The decision of the Board in this matter and also with regard to the refund or otherwise of any portion of the sum paid for the monopoly shall be final.

(vi) The holder of a monopoly shall provide motor bus services to the timings and frequency prescribed by the Board from time to time. He shall also be subject to the rules and regulations applicable to bus services generally, under these rules and under orders that may be issued form time to time.

Short-term Permits.

37. (i) Short-term permits for motor buses for casual trips or during feasts, fairs and other such like special occasions of a duration not exceeding seven days may be granted by the District Magistrates on all roads within the limits of their District except those on which a monopoly has been given to the Railway Department or any other person.

(ii) Such permits for periods exceeding seven days shall be granted by the same authority in the same manner and subject to the same conditions as those prescribed under these rules for the grant of ordinary permits for regular motor bus services on such roads.

(iii) In granting short-term permits referred to in sub-rule (i) and (ii) above for motor bus services during feasts, fairs and other such like special occasions on roads declared to be competing with Railways in respect of their traffic, the authority shall take into consideration the additional train services provided by the Railway Department and grant permits only to the extent necessary to supplement Railway Services in the public interest.

(iv) In the selection of the said short-term permit holders preference may be given to those who hold permits for providing regular motor bus services on such routes.

(v) The fares to be charged by such short-term permit services shall not be less than those prescribed for regular services on the route

MOTOR BUSES—Drivers and Conductors.

Conduct or of Motor buses.

38. Every motor bus shall, besides a driver carry a conductor whose duty shall, in addition to any specially mentioned, be to attend on the passengers and to see to the fulfilment of these and the Motor Vehicles Rules in all cases where the driver is not held responsible according to law.

39. No person under the age of eighteen years shall act as a conductor of a motor bus in any public place.

40. (i) No person shall act as a conductor of a motor bus unless he has a written authority in the form hereinafter mentioned signed by the proprietor and countersigned by the licensing authority.

(ii) The written authority shall be in the form prescribed for the purpose and shall be obtained from the District Magistrate on payment of a fee of 1 Rupee. A photograph of the conductor shall be affixed to the space provided for the purpose in the said form and it shall be sealed in such a way as to prevent fraudulent substitution.

(iii) Where for any reason, the countersignature of the District Magistrate to the written authority referred to in sub-rule (i) cannot be obtained on the day it is submitted to him for the purpose, the proprietor of the motor bus may issue to the person to whom such written authority relates, a temporary written authority countersigned by any Police Officer not below the rank of Inspector or any Bus Inspector. Such officer shall not countersign the temporary written authority unless he is satisfied that the written authority referred to in sub-rule (i) has been submitted to the licensing authority and could not be received back after countersignature on the day it was so submitted. Such temporary written authority shall, subject to the condition contained in sub-rule (iv), entitle the person to whom it relates to act as a conductor until the written authority submitted to the District Magistrate for countersignature is received back.

(iv) The conductor shall always retain the written authority referred to in sub-rule (ii) or (iii) with him while on duty and shall exhibit it on demand to any police officer or to any Magistrate or to any officer or the Board.

(v) A court by which a conductor is convicted of an offence against the provisions of the Mysore Motor Vehicles Regulation, 1914, the Road Traffic and Taxes Regulation, 1935, or the rules made thereunder shall cause particulars of the conviction to be endorsed in the said authority.

A conductor's authority granted in accordance with any rule in force for the time being in any part of the Madras Presidency shall be valid in Mysore until the date of its expiry.

Duties of motor bus conductors.

41. A conductor of a motor bus when acting as such,

(*a*) shall not when the vehicle is in motion distract the driver's attention without reasonable cause or speak to him unless it is necessary to do so in order to give directions as to the stopping of the vehicle;

(*b*) shall take all reasonable precautions to ensure that every means provided for indicating the route, fares and destination of the vehicle are clearly and correctly displayed.

Duties of drivers.

42. A driver of a motor bus when acting as such,

(*a*) shall, when picking up or setting down passengers, stop the vehicle as close as may be to the left or near side of the road;

(*b*) shall not cause the vehicle to remain stationary on a road longer than is reasonably necessary to pick up or set down passengers except at a stand or place where such vehicles are permitted to stop for a longer time than is necessary for that purpose.

43. A conductor of a motor bus, when acting as such, shall not, except for sufficient reason, by failing to signal to the driver to start, cause the vehicle to remain stationary on a road longer than is reasonably necessary to pick up or set down passengers except at a stand or place where the vehicle is permitted to stop for a longer time than is necessary for that purpose.

Dress for conductors and drivers.

43. Every driver and conductor of a motor bus shall be properly dressed, while on duty in clean uniform of the following description :—

Drivers.—Khaki trousers or shorts and Khaki closed coats with five buttons and a cap or turban.

Conductors.—Khaki shirts or coats, Khaki shorts and cap.

Driver's badge.

44. The driver of a bus shall wear in a conspicuous place on his left breast a numbered badge supplied to him by the District Superintendent of Police on payment of a fee of Re. 1.

45. The proprietor shall surrender such badge on the permit for the vehicle being suspended or cancelled or becoming time-expired. If the badge is lost or not returned, the proprietor shall be liable to pay a charge of one rupee to the District Superintendent of Police.

Hours on duty of drivers.

46. No person shall drive or cause or permit any person employed by him or subject to his orders to drive a motor bus (i) for any continuous period of more than six hours or (ii) for continuous periods amounting in the aggregate to more than 11 hours in any period of 24 hours calculated from midnight, or (iii) so that the driver has not at least ten consecutive hours for rest in any period of 24 hours calculated from the commencement of any period of driving.

47. Every motor bus plying for hire shall run in accordance with such schedule of timings as may from time to time be prescribed by the authority granting the permit. If, at any time, owing to an accident or other cause, the vehicle does not run on any day or runs more than three hours late on any day, a report shall forthwith be made to the District Magistrate or such other authority as may be fixed by the Board from time to time.

Closing of roads and bridges to motor traffic.

48. No permit issued under these rules shall entitle the permit-holder to claim compensation for being prevented from using the motor vehicle on roads and bridges which, during the currency of the permit, may be ordered by a duly constituted authority to be closed to motor traffic for repairs or for other purposes.

Rules to carry boards exhibiting place of destination.

49. (i). In the case of every motor bus, the name of the place of destination of the vehicle for the particular

trip shall be exhibited on boards in conspicuous places to the front and rear of the vehicle.

(ii) such name shall be :—

(*a*) in English and in Kannada ;

(*b*) painted on black ground in white letters not less than 2 inches high and of proportionate thickness ;

(*c*) clearly visible and unobstructed by car equipment or otherwise ; and

(*d*) illuminated by a white light or lights so constructed and placed and so efficient as to render the letters easily distinguishable between half an hour after sunset and half an hour before sunrise.

(iii) (*a*) The conductor of the bus shall be held responsible for the observance of this rule.

(*b*) The liability of the registered owner of the vehicle for the breach of this rule shall, when he is not in the vehicle at the time of the breach, be confined to non-provision of the boards and lights and of the articles and oil necessary for the lighting of such lights.

Use of motor bus for private purposes.

50. (i) No motor bus in respect of which a permit has been obtained shall be employed for private purposes within the area or areas to which such permit or such permits relate, without a special permit in Forms annexed to these rules and except in accordance with the conditions specified therein. The said permit shall be granted by the authority which granted the original permit.

(ii) Even when a motor bus is used for private purposes in any area for which it holds the permit, all the conditions except those relating to the carrying of passengers who tender proper fare shall apply to it.

(iii) When the motor vehicle passes into any area for which no permit has been obtained and is in use in such area for private purposes only, the conditions of the permit shall not apply thereto and the certificate of registration granted to the vehicle shall be sufficient.

(iv) In every case in which a motor bus is performing a casual journey for private purposes, it shall exhibit a board or placard bearing the word "Private" painted in English in letters at least 6 inches long on a red background.

Explanation.—In this rule, the term "private purposes" means the use of the vehicle by the owner thereof for purpose *bona fide* personal and not the use of the vehicle for the carriage of any person or persons for hire or reward.

Rules relating to Motor Cabs.

Permits for motor cabs to authorise their use as contract carriage.

51. (i) Permits for a motor cab shall, subject to such exceptions as may be made by the Board in this behalf, entitle the permit holder or the person in charge of the vehicle to use it only as a contract carriage, that is to say, 'a carriage carrying passengers for hire or reward under a contract expressed or implied for the use of the vehicle as a whole at or for a fixed or agreed rate or sum and not as a vehicle carrying passengers for hire or reward at separate fares, stage by stage and stopping to pick up or set down passengers.

52. Permits for motor cabs shall be issued by the District Magistrate of the District in which the permit holder resides or in which the offices of the business in respect of which the vehicle is used are situated.

Rates for hire or detention in city areas.

53. The Board may by a notification in this behalf fix the rates for the fare or hire or detention of any motor cab let or plied for hire within the limits of a City Municipality.

Provided that nothing in these rules shall prevent the owner of such a motor cab from entering into a contract to let his motor cab for periods of not less than a full day or for trips of more than five miles beyond the municipal limits of the said City at charges agreed upon between him and the hirer.

Motor cabs at cab stands in cities.

54. The drivers of motor cabs at motor cab stands in the limits of a City shall observe the following rules :—

(1) The Drivers of the first two motor-cabs on the stand must stay beside their cabs and must be ready to be hired at once by any person, provided that a hirer wishing to hire any particular cab on the stand may do so.

(2) All motor-cabs on the stand must move up as vacancies occur.

(3) No motor-cab engaged for some future time shall remain on the stand unless the driver is willing to accept any intermediate hiring that may be offered.

(4) No disabled motor-cab shall remain on the stand unless such disablement is strictly temporary, and can be and is remedied at once.

No driver of a motor-cab plying for hire in the limits of a City Municipality shall—

(*a*) be drunk during his employment;

(*b*) make use of insulting or abusive language or gesture;

(*c*) stand elsewhere than at some stand or other place appointed for the purpose or loiter for the purpose of being hired, in or upon any public street or road, or place;

(*d*) refuse to give way (when he reasonably and conveniently may do so) to any other vehicle;

(*e*) wilfully obstruct or hinder the driver of any other motor cab in taking up or setting down any person into or from such other motor cab;

(*f*) wrongfully prevent, or intend to prevent, the driver of any other motor cab from being hired;

(*g*) demand more than the proper fare to which he is legally entitled;

(*h*) before he has been discharged by the hirer, desert from the hiring;

(*i*) ply for hire with any motor cab which is at the time unfit for public use; or

(*j*) shout in order to attract the attention of the public or of a possible hirer or, for any other reason, act in such a way as to cause inconvenience or annoyance to the public.

Dress of drivers.

55. The drivers of motor cabs shall while on duty appear in clean uniform of the following description:—

Khaki trousers or shirts and Khaki closed coats with five buttons and a cap or turban.

Validity of permits for motor cabs.

56. Permits for motor cabs shall be valid throughout the State, except in the case of motor cabs for which short term or special permits are granted in which case they are valid in the area and for the period specified in such permits.

Rules Applicable to Public Service Motor Lorries.

Permits for motor lorries.

57. (1) Permits for public service motor lorries shall be granted by the District Magistrates in respect of lorries to be let or plied for hire or reward within the limits of his district.

(2) Applications for permits for lorries to let or ply for hire in more than one district shall be referred by the District Magistrate specified in rule 3 above to the Traffic Board and permits issued on the advice of the Board. The same procedure as that prescribed for the issue and grant of permits for motor bus services in Rule 27 above shall, in so far as it is applicable to motor lorries, be followed in this case also.

Liability of public service motor lorries to toll.

58. (i) The bridges and the roads specified in Schedule V of the Road Traffic and Taxes Regulation and bridges and roads to be constructed hereafter referred to in Section 20 of the said Regulation shall not be included in the area permitted for such lorries. Such lorries should pay tolls while passing toll-gates established on such roads or bridges.

(ii) The Board may, by notification in the Official Gazette, fix from time to time the roads competing with Railways on which lorries let or plied for hire shall be liable to tolls. On the issue of such a notification, motor lorries let or plied for hire shall be subject to tolls on such roads notwithstanding any condition to the contrary in the permit granted to the vehicle.

Validity of permits.

59-A. Ordinary permits for public service motor lorries shall cover casual outward and home journeys through any of the districts of the State subject to the followiug conditions :—

(i) In the area beyond that specified in the permit, the motor lorry shall be liable to tolls.

(ii) Such casual trips shall be done only when the motor lorry is let for hire to any person either on the outward or home journey as a contract carriage, that is, for an amount agreed or specified for the use of the vehicle as a whole for that journey.

(iii) The lorry shall not be let or plied for hire or reward for any purpose save that specified in sub-rule (ii) above in the area beyond that for which the lorry holds the permit.

59-B. Short-term and special permits shall be valid only for the routes or the area and for the period specified in such permits.

Special conditions on Railway competition roads.

60. The authority empowered to grant permits under these rules may attach to such permits special conditions it may deem necessary to prevent uneconomic or

wasteful competition on roads competing with Railways. Such special conditions may include, among other conditions, the following :—

(*a*) a condition that only specified classes of goods shall be carried on roads specified therein,

(*b*) a condition that specified classes of goods shall not be carried on such roads,

(*c*) a condition that rates lower than the amount specified shall not be charged on such routes.

Lorries not to carry passengers for hire or reward.

61. No motor lorry other than that for which a permit has been granted for the carriage of passengers and goods for hire or reward shall carry any passengers for hire or reward.

Rules applicable to lorries carrying passengers and goods.

62. To a motor lorry holding a permit for the carriage of passengers and of goods, all the rules applicable to a motor bus shall apply, in so far as its carriage of the said passengers is concerned and all the rates applicable to a motor lorry in so far as the carriage of goods for the said purpose is concerned.

Carriage of persons on a lorry.

63. No motor lorry let or plied for hire shall carry persons except as specified below, that is to say :—

(*a*) Not more than four persons including the driver shall normally be carried on a motor lorry.

(*b*) Such persons shall not be carried in any place on the motor lorry other than that set apart for the accommodation of persons.

(*c*) No persons other than the members of the family of the owner, or his workmen or labourers shall be so carried.

(*d*) In those cases in which it is, on account of the nature of the particular business, necessary for a larger number to be taken by the motor lorry, a special written anthority authorising the driver to carry the specified number of people should be issued by the owner of the vehicle. This authority must be carried by the driver and be available for inspection by any Police Constable or other authorised officer.

(*e*) In cases referred to in the foregoing sub-rule, the owner of the vehicle shall make proper arrangements for the seating of the persons. Such persons shall not be seated on packages or goods loaded on the lorry.

(*f*) In all cases in which it is necessary for the permit-holder to carry more than four persons, otherwise

than casually as prescribed in sub-rules (*d*) and (*e*), the approval of the authority granting the permit shall be obtained. This approval shall be granted subject to such conditions, to be specified in the permit, as the said authority may deem fit to impose.

Rules Regarding Construction and Equipment of Motor Vehicles.

SPECIAL RULES APPLICABLE TO PUBLIC SERVICE MOTOR VEHICLES.

64. The steering arms and other connections shall be of ample strength and shall be adequately protected by front bumpers from damage by collision.

65. Carburettors or other petrol receptacles, unless they are suitably encased or screened, shall not be in close proximity to the magneto or to wires or other connections carrying electric current.

66. Except in electric batteries, no celluloid or xylonite shall be used inside or outside any public service motor vehicle.

67. When a guard-tray or under-shield is fixed beneath the engine and adjacent machinery, it shall be so constructed that no petrol shall be retained thereon.

68. All moving parts and all parts subject to severe vibration fixed or connected by bolts or studs and nuts must be fastened by lock nuts, or by nuts together with efficient spiring or locknut washers or by castellated nuts together with split pins or otherwise in such a manner as to prevent their working or becoming loose.

69. Subject to such exceptions as may be made by the Government from time to time, every motor bus shall, on and from a date to be notified in the Official Gazette in this behalf, be fitted with an efficient speed-governor of a pattern conforming to the general or special orders of the Government as notified from time to time in the Official Gazette, so designed and arranged as to prevent the motor bus from being driven on a level road at a rate of speed exceeding that at which the governor may be set, and capable of being sealed in such a way that its operation cannot be altered or adjusted so long as the seal remains unbroken.

70. The speed-governor fitted to every motor bus shall at all times be so set and sealed so as to prevent the said bus from being driven at a speed in excess of that prescribed in the Motor Vehicles Rules.

71. The following particulars shall be legibly painted or otherwise exhibited in a conspicuous place on every motor cab and motor bus, namely :—

(*a*) the registered laden weight;
(*b*) Do seating capacity;
(*c*) the maximum speed permissible;
(*d*) the name and address of the registered owner.

72. Suitable means approved by the Board for extinguishing a petrol fire shall be carried in such a position as to be readily available for use.

73. All wires carrying electric current shall be properly insulated and protected from injury and so placed that they cannot be a cause of danger.

74. Where acetylene or other gas is used to light the vehicle, the cylinders or vessels which contain the gas, or in which it is generated, shall be fixed outside in such a manner as in the opinion of the authority granting the permit to eliminate, as far as may reasonably be possible, the danger of accidental ignition.

75. Every public service vehicle shall be fitted with pneumatic tyres.

76. There shall be carried on every public service motor vehicle, spare tyres properly inflated on a rim or wheel, which can be quickly fitted to the vehicle, as follows :—

(i) On every motor cab and public service Motor Lorry.	Not less than one.
(ii) On every motor bus ...	Do two.

77. No public service motor vehicle shall be driven and controlled from the left hand side of the vehicle.

78. Upon every public service motor vehicle, sufficient room shall be reserved for the driver to allow him adequate and sufficient space for the performance of his duties and, in particular, in the case of motor bus the spare eserved shall be as follows namely :—

(1) the back of the driver's seat shall be not less than 13½ inches distant from the nearest point on the steering wheel;

(2) the width of the space reserved for the driver shall be measured from a line drawn through the centre of the steering column parallel with the axis of the vehicle and shall extend on the left to a point not less than 18 inches from that line and on the right to the extremity of the vehicle :

(3) this space shall be partitioned off upon the seat of the vehicle by a partition not less than nine inches high ; and

(4) within the space reserved for the driver as aforesaid, nothing shall be placed between the back of the driver's seat and the forward extremity of the space available.

79. In the case of a motor bus having a roof or hood the height measured at any point on the centre line of the vehicle from the top of the floor battons of the lower deck to the lower edge of the roof supports or hood sticks or other such projections, shall not be less than four feet and six inches or more than six feet.

80. The overall width of a motor bus shall not exceed that of the rear wheel track by more than two feet and shall in no case exceed 7 feet 6 inches, nor shall the body project beyond the rear wheel track by more than one feet at either side.

81. In every motor bus, not less than 15 inches measured in a straight line along the length of the front of each seat shall be allowed for each passenger, and the seat shall be convenient and reasonably comfortable ; and

(*a*) when the seats are placed along the vehicle, the backs of the seats on one side shall be at least 54 inches from the backs of the seats on the other side of the vehicle ;

(*b*) when the seats are placed across the vehicle and are facing the same direction there shall be a clearer space of not less than 11 inches between the back of one seat and the front of the seat behind ; and

(*c*) When seats are placed across the vehicle and are facing each other, there shall be a clear space of not less than nineteen inches between the fronts of facing seats.

82. In every closed motor bus having entrance from the rear, there shall be a gangway along the centre, and

(*a*) Where seats are placed along the sides of the vehicle there shall be as gangway a clear space of not less than twenty-four inches measured between the fronts of the seats ; and

(*b*) Where seats are placed across the vehicle there shall be as gangway a clear space of not less than fourteen inches between the sides of the seats.

83. Every motor bus shall be provided with adequate means of ventilation when the main windows are closed.

84. Every motor bus shall be provided with efficient means to enable passengers to signal to or attract the attention of the driver or conductor.

85. Every motor bus shall be fitted with at least one top light to illuminate adequately the interior of the passenger compartment. Such light shall be under the control of the driver.

86. The body of every public service motor vehicle shall be so constructed as to satisfy the authority empowered to grant the permit of the strength of the construction.

Rules applicable to all motor lorries.

87. (*a*) Every motor lorry shall be fitted with an efficient speed governor of a pattern conforming to the general or special orders of Government as notified from time to time in the Official Gazette, so designed and arranged as to prevent the motor lorry from being driven on a level road at a speed in excess of that at which the governor may be set ; and capable of being sealed in such a way that its operation cannot be altered or adjusted so long as the seal remains unbroken.

(*b*) The speed governor fitted to a motor lorry shall at all times be so set and sealed as to prevent the motor lorry from being driven at a speed in excess of that prescribed of these rules.

88. The overall width of a motor lorry shall not exceed the track of the rear wheels by more than two feet or be more than seven feet and six inches whichever is less.

89. The length of a motor lorry shall not be more than twenty-seven feet and six inches in the case of a four-wheeled vehicle or more than thirty feet in the case of a rigid frame six wheeled vehicle,

Provided that if the motor lorry draws a trailer the weight of which is so partially imposed upon the motor lorry that the axle weight of the rear axle of the motor lorry exceeds the axle weight of the trailer, the length of the motor lorry and the said trailer together shall not be more than thirty-three feet.

90. The following particulars shall be legibly painted or otherwise exhibited in a conspicuous place upon every motor lorry, namely—

(*a*) The registered laden weight.
(*b*) The registered axle weight.
(*c*) The maximum speed permissible.
(*d*) The name and address of the registered owner.

APPEALS.

91. Any person who,

(*a*) being an applicant for the grant of or variation of the conditions attached to a permit is aggrieved by the decision of the authority empowered to grant permits on such application or by any special condition attached to the permit,

(*b*) being already the holder of an ordinary permit for the provision of motor bus services is aggrieved by the grant of additional permits on the road for new motor bus services,

(*c*) being the holder of a permit is aggrieved by the revocation or suspension thereof

may appeal to the Appellate Commission constituted under these rules.

92. The Appeal should be preferred within one month from the date of the Order appealed against, provided that the Appellate Commission may in cases in which it considers fit relax the time limit.

93. Either the Chairman of the Board or any Committee of three members of the Board specially appointed by the Chirman for this purpose shall constitute the Appellate Commission for the purpose of hearing any appeal preferred under the foregoing rule.

94. The Chairman of the Board may make rules governing the procedure of the Appellate Commission.

Such rules may provide that an appellant shall be entitled to be heard in person in support of his appeal or by Counsel, Solicitor or Agent.

95. The Appellate Commission, when it consists of the Committee appointed by the Chairman, shall not exercise its jurisdiction unless by the full number of its members. The decision of the Appellate Commission in such cases shall be by majority.

96. The decision of the Appellate Commission shall be final.